

REMARKS

Claims 1, and 3-7 are now pending in the application. Claim 1 is amended. Claim 8 is added. No new matter is presented. In view of the Examiner's comments, the above amendments and the following remarks are considered by Applicants to overcome each rejection raised by the Examiner and to place the application in condition for allowance. An early Notice of Allowance is therefore requested.

Claims 1 and 3-7 are rejected under 35 U.S.C. 102(e) as being unpatentable over Okazaki et al. (U.S. Patent No. 5,889,043) in view of Steinmaier (U.S. Patent No. 4,270,151). The Examiner takes the position that the combination of Okazaki and Steinmaier teaches or suggests all the features recited in claims 1 and 3-7. Applicants respectfully disagree.

Claim 1 is amended recite that the recording unit and the microphone are mechanically rigidly connected to one another in such a way that the mechanical position relative to one another remains unchanged. It is submitted that the combination Okazaki and Steinmaier fails to teach at least the amended feature recited in claim 1. Therefore, Applicants request the withdrawal of the rejection of claims 1, and 3-7 under 35 U.S.C. 103(a).

Okazaki discloses a method of controlling a communication terminal and a communication terminal that communicates with a base station. The communication terminal is provided with different functions from a communication function and the execution of the different functions is limited based on a registration process including receiving and registering controlling data transmitted by the base station.

Steinmaier discloses a circuit for giving audible indication to an operator of sound recording equipment impending distortion of audio signals. The circuit includes a predistortion circuit which introduces distortion into a monitor circuit at a predetermined level below saturation and distortion of the primary channel thus allowing the operation to adjust the gain in the primary channel to avoid distortion on the channel as finally recorded.

It is submitted that if you combine the teachings of Okazaki with Steinmaier, the claimed invention is not disclosed. In the Okazaki reference the microphone is part of a headphone device 20 having a plug, which is connected to the headphone jack 124, and the headphone device has a remote control portion 22, a display portion 23, a key 24, and a microphone 26. The headphone device also discloses a left and right headphone units.

Incorporating an XLR plug connection to the device according to Okazaki is not known nor is it technically possible to execute this feature for a mobile phone as shown in


Okazaki, because the width of an XLR plug connection is bigger than the thickness of a mobile phone. A microphone having an XLR plug connection is neither taught nor suggested by the applied references.

With regard to the Steinmaier reference, it is submitted that Steinmaier fails to teach or suggest a recording unit for recording signals generated by the microphone transducer of the microphone. In addition, the XLR plug is not connected to the recording unit as provided in the claimed invention. In the claimed invention, the microphone unit 1 is rigidly connected to a recording unit 3 via a fixable plug connection 2, i.e. there is not only an electrical connection between the microphone unit and the recording unit, but both parts are also mechanically rigidly connected to one another via the connection in such a way that the mechanical position is relative to another remains unchanged. Thus, the cited references in combination do not teach or suggest a rigidly connected microphone and recording unit. Therefore, it is submitted that the cited references fail to teach or suggest all the features recited in claim 1. Accordingly, Applicants request the withdrawal of the rejection of claim 1 under 35 U.S.C. 103(a).

Claims 3-7 are dependent upon claim 1. It is submitted that claims 3-7 recite patentable subject matter for at least the reasons mentioned above. Therefore, Applicants request the withdrawal of the rejection of claims 3-7 under 35 U.S.C. 103(a).

In view of the above amendments and remarks, Applicants submit claims 1 and 3-8 recite subject matter that is neither taught nor suggested by the applied references. Thus, for the reasons presented above, claims 1 and 3-8 are believed by Applicant to define patentable subject matter and should be passed to issue at the earliest possible time. A Notice of Allowance is requested.

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